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Paper No. 8

EUGNE R. QUINN, JR.
4030 COOL WATER COURT
WINTER PARK, FL 32792

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OCT 20 2004

In re Application of	:	OFFICE OF PETITIONS
Terry Covert	:	
Application No. 09/903,918	:	DECISION ON
Filed: July 12, 2001	:	PETITION
Attorney Docket NO. COVERT001	:	
Title: METHOD, APPARATUS AND SYSTEM	:	
FOR PRICING AND SELLING FAMILY	:	
PROTECTOR INSURANCE	:	

This is a decision on the RENEWED PETITION UNDER 37 CFR 1.137(a), filed July 8, 2004.

The petition is **GRANTED**.

The above-identified application became abandoned on October 30, 2001 for failure to file a timely reply to the NOTICE TO FILE CORRECTED APPLICATIONS PAPERS mailed August 30, 2001. A courtesy Notice of Abandonment was mailed on January 30, 2004.

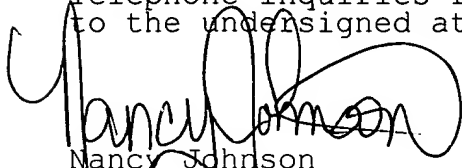
On initial petition filed April 30, 2004, petitioner submitted that the delay was unavoidable as the Reply was in fact timely filed and the application should not have been abandoned. In support thereof, petitioner submitted a copy of a Transmittal Form with a certificate of mailing signed October 18, 2001 by patent attorney Eugene Quinn. Applicant also submitted payment of the petition fee under § 1.17(l) and a reply to the Office action in the form of a preliminary amendment, including replacement drawings.

However, the petition was dismissed on the basis that applicant had not submitted a statement attesting on a personal knowledge basis or to the satisfaction of the Commissioner to the previous timely mailing or transmission of the response. In addition, it was requested that applicant further explain the delay in filing the petition.

Having considered the additional showing on renewed petition, it is concluded that the showing of record is now sufficient to establish unavoidable delay within the meaning of 37 CFR § 1.137(a)(3).

The application file is being returned to the Office of Initial Patent Examination for completion of pre-examination processing, including processing the response received on petition filed April 30, 2004.

Telephone inquiries related to this decision should be directed to the undersigned at (571) 272-3219.



Nancy Johnson

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